
Wednesday, October 27, 2021

12:00 p.m.

Virtual | Webex

Board members present | Will Allen III [arr. 12:03 p.m.], Corey Branch [arr. 12:04 p.m., left 1:51 p.m.], Brenda Howerton [arr. 12:51 p.m.], Sig Hutchinson, Valerie Jordan [arr. 12:06 p.m., left 12:23 p.m.], Vivian Jones, Michael Parker, Renée Price, Charlie Reece [left 2:32 p.m.], Jennifer Robinson [arr. 1:00 p.m.], Stelfanie Williams [left 2:00 p.m.]

Board members absences | Mike Fox

Chair Sig Hutchinson officially called the meeting to order at 12:02 p.m. A quorum was present.

I. Adoption of Agenda

Action: The agenda was adopted by consensus.

II. Recognition

A. Immediate Past Chair Michael Parker

Chair Sig Hutchinson recognized immediate past chair, Michael Parker. To commemorate his service, he received engraved crystal bookends. Board members offered their appreciation.

B. Employee Service Award

President/CEO Lattuca recognized Adrienne Coles for 10 years' service to GoTriangle.

III. Public Comment

No comments.

IV. Consent Agenda

Action: On motion by Parker and second by Price the consent agenda was approved. Upon vote by roll call, the motion was carried unanimously.

The following consent agenda items were approved:

- September 22, 2021 | Regular Session Minutes.
- September 22, 2021 | Closed Session Minutes.
- Adopted the 2022 meeting calendar.
- Authorized the President/CEO to execute contracts with these vendors for the purchase of miscellaneous parts used for the maintenance and repair of vehicles: Carolina Freightliner up to \$117,018; ABC-Muncie up to \$173,832; Kirk's Automotive up to \$136,659 and Gillig Corporation up to \$259,823.
- Approved the Wake Transit Art Funding Eligibility Policy.
- Authorized the President/CEO to award and execute a contract with Bar Construction for the renovation, construction and site work at portions of the first floor and exterior

parking areas adjacent to Slater Road in the amount of \$1,157,000, with an additional 10% contingency of \$115,700.

- Authorized the President/CEO to enter into a contract with National Express Transit (NEXT) for the operation of the GoDurham Microtransit and Job Access Pilot for FY2022 and FY2023, with a not to exceed amount of \$348,732.
- Authorized staff to negotiate a contract for the sale of approximately 1.09 acres generally located at 850 Semart Drive in Raleigh.

The 2022 meeting calendar, Wake Transit Art Funding Eligibility Policy and the Scope of Work for the GoDurham Microtransit and Job Access Operations with the Single Source/Sole Source Justification Form are attached and hereby made a part of these minutes.

V. Presentations

A. Durham and Orange County Transit Plan Updates

Meg Scully introduced Ellen Beckmann with Durham County and Aaron Cain, DCHC MPO, along with Craig Benedict from Orange County and consultant Carolyn Dwyer to give the updates on their counties' transit plan updates.

Durham County Transit Plan Update

Ellen Beckmann gave an abbreviated presentation. The full presentation is attached and hereby made a part of these minutes. She reminded the Board this is the first re-visioning of plan since 2011, resulting from the discontinuation of the D-O LRT project. She stressed the goals for development of the Durham Transit Plan, noting that the first two are considered core principles:

- Equity
- Community trust
- Accessibility
- Connectivity
- Convenience
- Sustainability

The phase I survey in the fall 2020 was used to identify the projects to be considered for the phase II survey - packages of projects that were affordable with available funding through 2040:

- Option A - focused on local and regional bus service, focused on operations not infrastructure
- Option B – included BRT and other bus infrastructure projects to improve speed and more reliability along with additional bus service
- Option C – included the Greater Triangle Commuter Rail Project as well as additional bus service

Survey respondents were asked what they liked and disliked about each option in order to know the best parts of each option and help inform development of the final preferred option.

The phase 2 survey received over 2,300 responses - more than three times the first survey. The survey was collected through online responses, in-person surveying and the engagement ambassador program. Stakeholder interviews were conducted with some key institutions and community partners.

Three demographic groups were highlighted and their responses prioritized:

- people of color
- daily transit riders
- daily to weekly transit riders

Key takeaways from Option A, B and C questions:

- Focus groups consistently identify later/weekend bus service, more bus frequency and more reliable bus service as their highest priorities.
- All respondents support getting more improvements more quickly.
- All respondents support bus rapid transit or the elements of bus rapid transit such as 15-minute service, bus-only lanes and traffic signal priority.
- Passenger train service has support, but it is not the highest priority for any group. The passenger train has less support from People of Color and Daily Transit Riders.

Key takeaways, "If passenger train is included, what else do we need to fund?"

- All respondents - more 15-minute service and more bus service to more places in Durham
- People of Color – all of these improvements are more important than a passenger train
- Regular transit riders – extended 30-minute service on weekdays and extended Sunday service

Key takeaways, "What outcomes are most important to include in your ideal transit option?" [all respondents and focus groups]

- More routes going more places
- Faster, more reliable service
- Frequent service [i.e. 15-minutes service]

Stakeholder interview summary:

- Stakeholders who work with, educate or employ low-income residents - bus operations improvements
- Disabled residents and health organizations - improvements to ACCESS services
- Businesses and institutional stakeholders - bus rapid transit
- Regional partners and UNC - better bus service and park-and-ride lots between Durham and Chapel Hill on US 15-501 and NC 54
- Most stakeholders - commuter rail has general support, but many cited concerns about the project's cost and effect on other higher priorities

Beckmann stated that the preferred transit alternative will be informed by engagement results as well as technical information and financial analysis. The goal is to release the

preferred option for public comment in coordination with the next round of engagement for the commuter rail project, with final plan adoption following in the spring. Some projects would be implemented next year.

Beckmann also discussed the Transit Plan Governance Study coordinated between Durham and Orange counties for new Interlocal Implementation Agreements [ILA] and new policies and procedures to reflect the priorities of the new transit plans. A new ILA will be recommended with the final Transit Plan.

Orange County Transit Plan Update

Craig Benedict's presentation is attached and hereby made a part of these minutes.

Orange County has developed a Policy Steering Committee [PSC] of local government representatives. Discussion has included:

- Creating a plan that "recognizes fiscal limits and has a clear vision for where we want to be"
- Connect transit geometries in scenarios [ridership vs. coverage-oriented systems] to "first order values"
- Provide descriptive information about each scenario and information to weigh the impacts of decisions

The final report will be available in early 2022.

VI. General Business Agenda

A. Items Removed from Consent Agenda

None.

B. Operations & Finance Committee Report

Vivian Jones reported that all action items from committee were included on the consent agenda today. She said the committee received a presentation on RUS Bus and a financial report.

C. Planning & Legislative Committee Report

Will Allen reported on a presentation on commuter rail travel markets by TJCOG. The study is concerning the non-monetary benefits and costs of the commuter rail project to help inform decision making.

Key takeaways:

- Rail corridor is 4% of the area of Durham, Johnston, Orange and Wake counties, but has 30% of the jobs [280,000].
- 23% of the region's jobs with earnings below \$40,000 are located within the rail corridor.
- Wake-Durham regional connection is the largest in North Carolina, over 96,000 workers live in one county and work in the other.
- Eight of the top ten job hubs in the region are along the rail corridor.

D. Hiring of General Counsel and Approval of Employment Agreement

Michael Parker recommended the hiring of Byron Smith as the new General Counsel. Smith has worked on transit for past 15-20 years. He is a North Carolina native and NCCU alumnus. He worked with the Maryland Transit Administration and most recently in private practice on transit issues. He in fact was retained by GoTriangle for work on the commuter rail project.

The negotiated employment agreement includes annual compensation of \$220,000, a relocation package up to 10% of base salary subject to appropriate expenses and documentation, 8% retirement contribution and other standard employee benefits.

Action: On motion by Parker and second by Allen the Board approved the hiring of T. Byron Smith at a starting salary of \$220,000 with a start date of December 1, 2021, and approved the proposed employment agreement. Upon vote by roll call, the motion was carried unanimously. The employment agreement is attached and hereby made a part of these minutes.

Smith shared his appreciation and his excitement to work with on the commuter rail project. Board members offered their congratulations.

Chair Hutchinson suggested that the next three items be taken as a single vote.

E. Retirement Plan Services

Christy Winstead requested that the Board award a contract to Voya Financial for retirement plan recordkeeping services beginning February 1. She stated Voya's response to the Request for Proposals was the top choice for many reasons, including the ability to provide personalized and targeted communications to employees and a lower overall plan cost. Winstead added that this contract will consolidate plans from two service providers, streamlining the services to make retirement planning for employees more understandable and straightforward. The cost for these plans are paid through participant accounts.

Action: A motion was made by Jones, and seconded by Parker, to award a contract to Voya Financial for employee retirement plan recordkeeping services, beginning February 1, 2022, with a provider cost of \$0.19% (\$33,640 per year based upon current assets) and authorize the President/CEO to execute the contract consistent with those terms.

F. 2022 Health & Ancillary Benefits Package

Christy Winstead reported that the 2022 benefits renewal is flat across all plans. She added that this is the fourth consecutive year of great news regarding benefits.

Action: A motion was made by Jones, and seconded by Howerton, to renew the existing BlueCross & BlueShield medical policy for 2022 with no premium increase.

G. Wake Transit Work Plan Project Period of Performance Extensions

Steven Schlossberg stated that several projects adopted and funded in fiscal years 2018 and 2019 for Raleigh, Cary and GoTriangle that have remaining tasks. All the projects except one are capital projects. These project sponsors are asking for a one year agreement, with the exception of the downtown Cary multimodal transit center which is a two-year agreement. Funding for all the projects was adopted previously in the financial plan. This action was recommended by the TPAC and approved by the CAMPO Executive Board.

Action: A motion was made by Allen, and seconded by Price, to execute agreements to extend the periods of performance and to reallocate remaining funds from the FY2018 and FY2019 Wake Transit Work Plan project funding allocations.

Action: Upon vote by roll call, the three prior motions were carried unanimously.

H. Proposed FFY2022-24 Disadvantaged Business Enterprise (DBE) Program Goal

Sylvester Goodwin stated the FTA requires GoTriangle to update and develop a DBE program goal every three years. The previous goal expired July 31. He shared the methodology for the FFY2022-24 goal of 13.57%. He added that this is an aggressive goal, with the FFY2019-21 goal at 6%. GoTriangle achieved 3% in 2020 and is at 16.4% currently for 2021. Goodwin also said GoTriangle is being aggressive in its outreach with a virtual small and minority business conference held in March and a second one scheduled next week.

Action: On motion by Parker and second by Price the Board adopted *Resolution 2021 0001* approving the proposed DBE goal of 13.57% for FFY 2022-2024. Upon vote by roll call, the motion was carried unanimously.

I. Follow-up on EEO Report

Sylvester Goodwin provided additional information on the EEO report as requested at the August meeting. He explained workforce utilization and how census data is used to determine the available workforce in each job category and set specific, measurable hiring goals in each area of underutilization.

J. Update on Proposal to Continue Existing RDU Airport Service

Katharine Eggleston reminded the Board that in October 2020 GoTriangle implemented a temporary modification to the airport bus service in response to pandemic-related factors of ridership and staffing availability. As required by FTA a temporary change lasting more than 12 months must follow standard procedures for a permanent change, including public engagement and a Title VI equity analysis. Staff is doing this work and the Operations & Finance Committee will review it in November.

VII. Other Business**A. President and CEO's Report**

A list of contracts approved by the president and CEO is attached and hereby made a part of these minutes.

- Met with Congressman Price and provided an update on GoTriangle and commuter rail.
- Provided update on commuter rail to the association of consulting engineers.
- Have a meeting scheduled with Norfolk Southern to discuss findings on the capacity modeling.
- A new operator class will be starting soon. We also will be issuing Covid-related retention bonuses to operators in December and June. Patrick Stephens reminded the Board of the critical job performed by GoTriangle's operators and the difficulties they have endured for more than a year. He said the bonus program is a way to reward operators who have remained on the job with up to \$1,000 [based on tenure] given to each operator in December. Sandra Freeman reported that the maximum impact of the bonus program would be just over \$300,000 and can be covered by savings in the current budget.

1. Operations Update

Patrick Stephens provided the monthly report, which is attached and hereby made a part of these minutes. He said GoTriangle recently participated in the Orange County job fair and also is working with the Durham Housing Authority. Scott Thomas reported on a partnership with GoDurham to establish a temporary "recruitment center" at Durham station.

2. Capital Projects Status Report

The capital projects status report and presentation on major project updates is attached and hereby made a part of these minutes.

Eggleston reported that a meeting has been set with Norfolk Southern on the capacity modeling and the joint board group with NCRP will meet at the end of November.

B. Office of the General Counsel Report

Interim General Counsel Tom Henry stated his delight at the Board's selection of Byron Smith as General Counsel. He said GoTriangle's legal team will be involved with its partners on the governance study and developing the ILAs discussed today. He added that much recent work has been on the RUS Bus project which will be discussed later on the agenda.

C. Chair's Report

Chair Hutchinson stated that Charlie Reece has agreed to represent Durham on the joint board work group with NCRP at the request of Stelfanie Williams. He also shared his priorities for the coming year:

- Making sure employees are happy, healthy and safe
- Continuing the work on governance and expanding it to include opportunities to improve GoTriangle
- Developing a Regional Transit Plan through the RAISE grant
- Continuing the RUS Bus project
- Continuing the Greater Triangle Commuter Rail project

D. Board Member Reports

1. CAMPO Executive Board Representative

Will Allen III noted three transit-related items from the meeting:

- Approval of performance extensions and reallocation of leftover funds from FY2018 and FY2019 project funding allocations
- Approval of Wake Transit Art Funding Eligibility Policy
- Formation of a six-member CAMPO Executive Board working group on commuter rail cost share and financing negotiations.

2. Regional Transportation Alliance (RTA) Representative

Will Allen III reminded board members of the planned trip to south Florida in January to see commuter rail. Hutchinson encouraged board members to participate in the trip. He added that travel funds are limited, with \$14,000 to split among those interested. He asked members to select one of the main conferences for the year: the RTA tour to south Florida, the APTA Legislative Conference or the Raleigh Chamber InterCity Visit.

3. DCHC MPO Board Representative

Michael Parker reported that MPO staff developed a “vision plan” in response to the MPO Board’s instructions to draft an alternative more reflective of the MPO’s goal for a reduction in vehicle miles traveled. The MPO Board voted to release the vision plan, once finalized by the Technical Committee, and the original plan for public comment.

4. Rail~Volution Conference Report

Carried over to the next meeting.

VIII. Closed Session | General Counsel Search Committee Report

Action: On motion by Parker and second by Price the Board entered into Closed Session at 2:46 p.m. pursuant to NCGS §143 318.11(a)(3) to consult with an attorney employed or retained by the public body in order to preserve the attorney-client privilege between the attorney and the public body, which privilege is hereby acknowledged. Upon vote by roll call, the motion was carried unanimously.

Action: The Board returned to open session at 3:33 p.m.

A. RUS Bus Development Agreements

Tom Henry stated that staff is recommending approval of the Joint Development Services Agreement [JDSA] related to the RUS Bus project. Consultant Jeff Bandini provided a brief overview.

The JDSA, between GoTriangle and preferred developer, Hoffman and Associates, provides for the management of design and construction of the public portion of the RUS Bus project.

Key terms of agreement:

- Project controls for scope, schedule, budget and change management
- Project management fee paid to Hoffman
- Construction management fee paid to Hoffman
- Compliance measures for the BUILD grant agreement and other FTA regulations applicable to development of the property
- DBE requirement not less than 12% on all public portions of the project and all public contracts

Action: On motion by Robinson and second by Parker the Board authorized the President/CEO to finalize negotiations and, subject to FTA approval and further subject to this Board's approval of the related Joint Development Agreement, to enter into the Joint Development Services Agreement with RB Infrastructure LLC, a special purpose entity owned and controlled by Hoffman & Associates, for an amount not to exceed \$30,648,121.82 to fund development of the RUS Bus Transit Facilities. Upon vote by roll call, the motion was carried nine to one with Allen, Hutchinson, Jones, Parker, Price and Robinson voting in the affirmative and Howerton voting no. [Branch, Reece and Williams were recorded as affirmative votes pursuant to GoTriangle's by-laws.]

Chair Hutchinson added that GoTriangle's work to provide mobility options for the region is important, including the RUS Bus project. He noted his appreciation for GoTriangle's partner, Hoffman & Associates, with this project. Howerton stated that her negative vote was not against the project, but because she has unanswered questions. President/CEO Lattuca offered to provide additional information and a briefing if desired.

IX. Adjournment

Action: Chair Hutchinson adjourned the meeting at 3:42 p.m.

Prepared by:



Michelle C. Dawson, CMC
Clerk to the Board of Trustees